

Faculty Handbook Committee Minutes

18 May 2018

Conference Room, 5th Floor, International Building

Meeting Start 11:05 AM

Meeting End 12:43 PM

Agenda (Holt, Chairing)

1. Adoption of Agenda
2. Approval of Minutes
3. Continued Procedural Abeyance for language and meeting times
4. Progressive Disciplinary Policy First Vote
 - a. Statement of objection of procedure from the floor: in accord with university policy, the FHC should not accept any language from anyone not in the corps of instruction on the university payroll.
 - b. Debated and voted to approve PDP on first vote
 - c. Unanimous approval for first vote
 - d. Distribute for comment – up for second vote at next meeting
5. Bridge Policy Subcommittee Report
 - a. Holt abstained, but chaired
 - b. Discussion and editing of the Unification Policy
 - c. Unanimous approval for first vote (Holt abstained)
 - d. Distribute for comment – up for second vote at next meeting
6. Updates from ASEC Members
 - a. No relevant updates concerning FHC or FHB
7. Update concerning ARIC comments about FHC (FYI)
 - a. ARIC looks to be concerned about FHB bylaws not covering an “equitable” representation of the faculty – suggesting bylaws changes, perhaps.
 - b. Just bringing awareness of documents released to Senate
8. Concerning Summer Meeting Times (will need one in June)
 - a. Meeting TBD, but after Faculty Senate June meeting
9. Charges: distribute 2 documents to Senate, Council of Chairs, Deans.

Roll Call

Group One (August 2016 – August 2019)

Present: Voting Ex-officio – Assistant or Associate Provost – Doug Masterson (2017-2019)

Present: Non-Member of Faculty Senate (FS Appointed) – Leisa Flynn (2017-2019)

Present: Member of Faculty (President Appointed) – Jonathan Barron (2018-2019)

Present: Voting Elected member from Council of Chairs – Tish Zelner (2013) (2016-2019)

Present: Member of Faculty at Large (FS Appointed) – David Cochran (2018-2019)

Group Two (August 2017- August 2020)

Present: Voting Ex-officio – Assistant or Associate VP for Research – Sam Bruton (2013) (2017-2020)

Present: Member of Faculty Senate (FS Appointed) – Sharon Rouse (2017-2020)

Present: Voting Elected member from Dean – Dean Faye Gilbert (2017-2020)

Present: Member of Gulf Coast Faculty (FS Appointed) – David Holt (2017-2020)

Present: Non-voting Ex-officio General Counsel: Subrina Cooper (2010) (2017-2020)

Gallery: Stephen Judd, Kate Greene, David Beckett, Alan Thompson, Mike Forster, and Doug Chambers

Meeting Adjourned after disruption in the gallery

Appended:

PDP:

Bridge Language – “Unification Document”:

ARIC relevant bits:

Passed First Vote May 18, 2018

University of Southern Mississippi Progressive Discipline Policy for Faculty

Policy Statement

This progressive discipline policy applies to situations absent in other university policies. This policy is intended to address and remedy workplace situations requiring immediate attention, but do not merit initiation of proceedings leading to the termination of employment. This policy does not cover situations involving contumacious conduct, malfeasance, Title IX, scholarly misconduct, inefficiency, cause, or criminal conduct. This policy applies to the Corps of Instruction as defined in the Faculty Handbook as well as visiting instructors and visiting professors. Examples of conduct covered by this policy include, but are not limited to, violations of university protocols or policies, failure to perform assigned duties, misuse of financial resources, misuse of facilities, excessive absenteeism, improper supervision of graduate assistants, or inappropriate behavior leading to an unproductive learning and working environment.

Reason for Policy

The progressive discipline policy provides an opportunity to identify and correct various workplace issues that may arise within the Corps of Instruction. The policy provides a standard process by which faculty are notified of inappropriate workplace behaviors or practices and what steps are required to correct the situation. The policy also provides a standard process by which faculty can appeal the allegations of inappropriate workplace behaviors or practices. Administrative personnel should follow the procedures listed in this policy when addressing situations requiring progressive discipline.

Who Needs to Know this Policy

Faculty, School Directors, College Deans, University Human Resources, Provost, and President

Policy and Procedures

School directors are responsible for oversight of the faculty in their schools. School directors, in consultation with the dean, are generally responsible for implementing the progressive discipline policy. The parties involved in the progressive discipline process should maintain confidentiality, when possible.

The procedures below outline the possible steps that can be taken when administering progressive discipline. However, some situations merit an alternate point of entry in the progressive discipline process. Any situation that is deemed severe, yet correctable, might start at either Step 2 (reprimand) or Step 3 (censure) depending on the severity of the offense. Multiple issues arising from the same faculty member may be considered collectively. Multiple issues being considered collectively may merit an alternate point of entry in the progressive discipline policy. The progressive discipline procedures outlined below do not guard against termination of employment for situations deemed severe, situations leading to an unsafe working environment, or other situations as defined by IHL or other institutional policies.

Step 1: Verbal warning

The school director verbally communicates the concern with the faculty member in a private meeting. The school director communicates the issue to the faculty member, why the issue is a concern and the expected corrective actions to be taken by the faculty member to remedy the situation. The school director communicates to the faculty member the timeframe for reevaluation of the situation and

indicates to the faculty member that failure to correct the behavior within the indicated timeframe will result in a written reprimand as described in Step 2. The school director will identify this as a verbal warning and summarize the meeting in an email to the faculty member which does not go into the faculty member's HR file. The faculty member may respond to the email to address any inaccuracies in the summary of the meeting.

The verbal warning is to be corrective and non-punitive in that it is not made public and does not result in any documentation being placed in the faculty member's HR file.

Step 2: Written reprimand

The school director may initiate Step 2 if the faculty member fails to resolve the situation identified in Step 1 within the indicated timeframe for reevaluation. The school director may also initiate Step 2 as the entry point for progressive discipline for situations deemed too severe to begin with a verbal warning.

The written reprimand must include: 1) a description of the situation, 2) any previous steps taken by the school director to communicate the situation with the faculty member, 3) a description of why the situation merits a written reprimand, 4) a description of what the faculty member must do to correct the situation, 5) the timeline by which the situation is to be reevaluated, and 6) any actions that might occur if a resolution is not achieved. The school director is to mention in the written reprimand that such actions may include moving to Step 3 (censure) of the progressive discipline policy or initiation of proceedings leading to the termination of employment (if appropriate). When possible, the written reprimand is to be delivered to the faculty member in person by the school director, and a copy is also to be placed in the faculty member's HR file. The school director may also send an electronic copy to the faculty member in addition to the hard copy as well as a copy to the dean.

The faculty member may request a dean's review of the written reprimand within five business days of receiving the hard copy of the written reprimand. The dean of the college, to whom the school director reports, has five business days to initiate a review of the merits of the reprimand and notify the parties by email. The dean can uphold the reprimand, reject the reprimand as an inappropriate discipline, or call a meeting which would include the faculty member and school director to obtain more information before making a final decision. The decision of the dean is final at this stage of progressive discipline.

A copy of the written reprimand, the dean's decision (if applicable), and the school director's reevaluation (if applicable) are to be placed in the faculty member's HR file. The written reprimand is to be corrective and non-punitive in that it is not made public and does not result in formal sanctions. In the event of a dean's review, no written reprimand will be added to the faculty member's HR file until the review is completed. Faculty have the right to include a letter of rebuttal to accompany the written reprimand.

Step 3: Censure

The school director may initiate Step 3 if the faculty member fails to resolve the issue outlined in Step 2 within the indicated timeframe for reevaluation. The school director may also initiate Step 3 as the entry point for progressive discipline for situations deemed too severe to begin with a written reprimand. Censure is the final step of progressive discipline and is to include sanctions that may be punitive and non-private. Failure to achieve resolution of the situation at the censure stage can result in the initiation of proceedings leading to the termination of employment.

In consultation with the dean, the school director composes a letter of censure to the faculty member that must include: 1) a description of the situation, 2) a reason why the situation merits censure, 3) the sanctions that are to be imposed on the faculty member, 4) the corrective actions the faculty member must make to address the situation, 5) the timeline by which the situation is to be reevaluated, and 6) a statement that failure to resolve the situation can result in the initiation of proceedings leading to the termination of employment. When possible, the signed letter of censure is to be delivered to the faculty member in person by the school director, and a copy is to be delivered to the dean to whom the school director reports. The school director may also send an electronic copy to the faculty member in addition to the hard copy.

Sanctions may include, but are not limited to, reassignment of teaching duties, suspension, reassignment of research and/or service commitments, loss of committee chair privileges, or loss of university-approved travel privileges.

The faculty member may request a provost review within five business days of receiving the letter of censure. The provost has five business days to initiate a review of the merits of the letter of censure and notify the parties by email. The provost can either uphold the letter of censure or reject the letter of censure as an appropriate discipline. The provost can elect to obtain additional facts through the use of the ombudsman or by calling a meeting which would include the faculty member, the school director, and the provost. The decision of the provost is final. In the event of a provost's review, no letter of censure will be added to the faculty member's HR file until the review is completed.

A copy of the letter of censure, the request by the faculty member for the provost's review (if applicable), the provost review (if applicable), and the reevaluation (if applicable) are to be placed in the faculty member's HR file. Administrators involved in the censure process may not broadly communicate the details of censure to the university community. Due to the nature of sanctions, censure may generally be known within the university community. Should the reevaluation of the situation leading to censure be resolved satisfactorily, the school director will compose a letter of resolution and provide a copy to the faculty member and place a copy in the faculty member's HR file. Faculty have the right to include a letter of rebuttal to accompany the letter of censure.

Censure is the final step of the progressive discipline process, and failure to resolve the situation at this stage may result in the initiation of proceedings leading to termination of employment at the University per the provisions stipulated in the Faculty Handbook.

Other Potential Impacts of Progressive Discipline

Progressive discipline procedures could impact tenure and promotion proceedings and could have an impact on the annual evaluation process.

Passed First Vote, May 18, 2018

Annual Evaluation and Tenure/Promotion Unification Policy

Policy Statement

This unification policy is intended to provide a framework for the annual evaluation and tenure and promotion process for faculty hired during the 2012/2013 to 2018/2019 academic years. This policy is intended to provide continuity regarding the performance expectations of pre-tenured faculty. University processes will change as the University transitions to Vision 2020, and this policy will ensure that the new schools and colleges will respect the expectations that faculty members agreed upon when they accepted employment at the University. This policy is intended to serve only pre-tenured faculty during the transition phase to Vision 2020. This policy will expire on May 31, 2024.

Reason for Policy

This policy provides continuity in expectations – as detailed in departmental tenure and promotion guidelines – for faculty hired between the 2012/2013 and 2018/2019 academic years. The policy exists to require schools and colleges to respect the performance expectations of pre-tenured faculty established before the reorganization. For practical reasons, all faculty within a school will be evaluated by the same process. However, the evaluation must be in line with the expectations that were present at the time the pre-tenured faculty member was hired.

Who Needs to Know this Policy

Faculty, School Directors, College Deans, Provost, and President

Policy and Procedures

In general, annual evaluations, pre-tenure review, and tenure and promotion are to be conducted as outlined in the Faculty Handbook in effect during the year of evaluation. Only pre-tenured faculty will receive the benefit of this unification policy for annual evaluations. While the evaluation processes will be the same for all faculty within a school, pre-tenured faculty will be evaluated using the expectations that were in place when they were hired. It is the responsibility of the school director to inform the evaluation committee of this requirement and to provide the committee with a copy of the expectations that apply to each pre-tenured faculty member under review.

The 2017-2018 Faculty Handbook outlines the process and procedures for conducting the various levels of faculty review. The process and procedures for faculty review outlined in the 2017-2018 Faculty Handbook will remain in force until superseded by the adoption of the new Faculty Handbook established as a result of Vision 2020. Generally, the school committee structures will replace the department committee structures established in the 2017-2018 Faculty Handbook. Also, the role of school director will replace the terminology of chair or director as described in the 2017-2018 Faculty Handbook. When feasible, school committee structures must include disciplinary peers for the evaluation of pre-tenured faculty members.

Pre-tenured faculty members must opt for evaluation under the new school tenure and promotion guidelines and expectations as they become available. Pre-tenured faculty members opting for evaluation under the new school guidelines and expectations must notify the school director in writing of their desire for evaluation under the new guidelines.

ARIC relevant bits:

APPENDIX B — Committee table

Representative	Governing	Standing Committees	Procedural Committees	In transition/on Hiatus
Faculty Senate	Undergraduate Council	Committee on Committees	Academic Scholarship Appeals Committee (undergraduate)	Committee on Athletic Minority Equity
Student Government Association	Graduate Council	Institutional Diversity Committee	Federal Educational Rights and Privacy Act (FERPA) Committee	Gender Equity in Athletics Committee
Staff Council	Grade Review Council	Section 504/ADA Compliance Committee	Design Review and Space Utilization Committee	Strategic Planning Council
	University Research Council	Academic Calendar Committee	Merchant Services/PCI Compliance Committee	Online Learning Steering Committee
		Committee on Services and Resources for Women	Parking Management Committee – Gulf Coast Research Lab	Strategic Enrollment Planning Council
		Faculty Handbook Committee?	Parking Management Committee – Gulf Park	Undergraduate Admissions and Credits
		Libraries Advisory Committee	Parking Management Committee – Hattiesburg	Master Planning Committee
		Online Learning Steering Committee	Signage and Wayfinding Committee	
		Institutional Review Board	Staff Excellence Awards Committee	
		University Assessment Committee	Tuition Appeals Committee	
			Institutional Animal Care and Use Committee	
			Institutional Biosafety Committee	
			Student Judicial Appeals Committee	

- **Highlighted in yellow indicates that it does not meet all four categories for standing committee definitions. Suggested revision of bylaws to remain in this category.**

The part about USCs in the document:

University Standing Committees. University standing committees are permanent and continuously active bodies that conduct the broad, university-wide work associated with academic affairs. These committees are typically charged with guiding functional processes of the university, generating and disseminating university policies, and providing innovative solutions for pressing issues. The following criteria should be used to determine a committee's designation as a standing committee:

- 1) The work of the committee impacts the broad scope of the University's major functions.
- 2) The committee reports directly to one of the primary branches of the university (executive administration, academic affairs, or student affairs).
- 3) Committee membership includes members from the corps of instruction or other stakeholders to ensure shared governance and transparency in the given purview of the committee.
- 4) The committee membership is equitably representative of all colleges and campuses of the University.